

DRAFT

Area-Wide Soil Contamination Task Force – Meeting One February 7, 2002, Bellevue, WA Meeting Summary

Members in Attendance:

Jeff Andrienas, American International Group
Bob Arrington, Washington State Department of Agriculture
Loren Dunn, Riddell Williams for Washington Environmental Council
Greg Firn, Wenatchee School District
Steve Gerritson, Sierra Club
Jim Hazen, Horticultural Association
Linda Hoffman, Washington State Department of Ecology
Steve Kelley, Windermere Real Estate
Steve Marek, Tacoma/Pierce County
Scott McKinnie, Far West Agribusiness Association
Laura Mrachek, Cascade Analytical
Frank Peryea, Washington State University, Tree Fruit Research and Extension Center
Ray Paoella, City of Yakima
Paul Roberts, City of Everett
Ken Stanton, Douglas County Commission
Craig Trueblood, Preston Gates & Ellis
Mike Wearne, Washington Mutual Bank
Bill White, Washington State Department of Health

Members Unable to Attend:

Mike Bigelow, Washington State Office of Schools and Public Instruction
Harold Moss, Pierce County Council
Randy Phillips, Chelan and Douglas Counties
Steve Wells, Washington State Office of Community Development

Consultant Support:

Julie Wilson, Landau Associates
Elizabeth McManus, Ross & Associates Environmental Consulting
Bill Ross, Ross & Associates Environmental Consulting
Jennifer Tice, Ross & Associates Environmental Consulting

Agency Staff and Alternates:

Washington State Department of Ecology:
Dave Bradley
Dawn Hooper
Jim Pendowski
Rick Roeder
Washington State Department of Health
Jim W. White
Washington State Department of Agriculture
Ann Wick

Meeting Summary

The Area-Wide Soil Contamination Task Force, chartered by the Washington State Departments of Agriculture, Ecology, and Health, and the Washington State Office of Community Development, met for the first time on February 7, 2002 in Bellevue, Washington. The purposes of the meeting were to welcome Task Force members to the Area-Wide Soil Contamination Project, discuss the Task Force process and the roles of participants, review the three analytical areas of the project and the public involvement component, and allow the Task Force to understand and affirm the overall direction of the project and provide input on the project's near-term work products and schedule.

Introductions and Welcome from the Agencies

The meeting's lead facilitator, Bill Ross of Ross & Associates, welcomed everyone to the meeting and introduced Steve Gerritson of the Sierra Club and Steve Kelley of Windermere Real Estate in Wenatchee, who have agreed to serve as process co-chairs for the Task Force. Next, Task Force members introduced themselves, identified the interests they represented, and explained why they chose to participate on the Task Force. During their introductions, Task Force members raised many of the concerns they discussed during interviews conducted prior to the meeting. They discussed concerns about potential public misconceptions of area-wide soil contamination and said that the Task Force needs to be careful, prudent, and thorough in its approach. In particular, the Task Force noted the need for precision and accuracy in defining the problem. Staff from the chartering agencies, members of the project's consultant team, and the other people in the audience also introduced themselves.

Following introductions, *ex officio* members of the Task Force from the chartering agencies welcomed Task Force members to the Area-Wide Soil Contamination Project.

Linda Hoffman, the Deputy Director of the Department of Ecology, noted that Jim Pendowski, the Director of the Toxics Cleanup Program, will serve as an alternate for her on the Task Force and that Steve Theile from the Office of the Attorneys General will also support this project. She explained that although Ecology is the lead agency for the administrative aspects of this project, the agencies are equal partners in this effort. Deputy Director Hoffman outlined Ecology's objectives for this project:

- Identify the scope and the extent of the problem
- Develop a strategy to address the problem that moves beyond the Model Toxics Control Act (MTCA) and the agencies' current range of activities
- Facilitate the identification of any policy or regulatory shifts that are necessary to implement that strategy

Ecology sees the Task Force as a key part of this effort. Deputy Director Hoffman emphasized that Ecology is not entering this process with pre-drawn conclusions about the types of solutions that might be necessary or practical. Ecology expects Task Force members and the agencies to engage each other in a process of joint learning and discovery to arrive at solutions. Deputy Director Hoffman concluded by making the following commitments to the Task Force:

- Ecology is committed to learning and expects the Task Force to challenge its current thinking.
- Ecology will work seriously to implement the recommendations. These recommendations will be easier to support if they are broadly supported by the Task Force.
- Ecology staff will serve as senior advisors in the process. The Department feels that it has a responsibility to provide information to the Task Force in an advisory way.
- Through the consultant team and Ecology's staff resources, Ecology will provide the Task Force with the data and technical resources it needs to do its work.

Bill White, the Assistant Secretary for Environmental Health for the Department of Health, also welcomed Task Force members and expressed his gratitude for the level of interest in this issue and support for the project. Assistant Secretary White explained that low to moderate arsenic and lead contamination in soil represents a public health problem, since there is potential for widespread adverse exposure, but that he recognizes it is more than just a public health issue – with economic and other concerns also playing a role. He noted that it will be critical to focus the effort on achievable solutions and to be attentive to capacity issues, especially at local health departments. Because of the complexity of the issues, the Department of Health believes that openness to different perspectives will be especially critical to the Task Force process. Like Deputy Director Hoffman, Assistant Secretary White concluded by committing the Department of Health to support and provide data and technical information and resources to the Task Force.

Bob Arrington the Assistant Director for Pesticide Management at the Department of Agriculture began by introducing Ann Wick, another *ex officio* member from that agency, who will be the primary participant in the Task Force process. He then also welcomed the Task Force and expressed his support for the project. Assistant Director Arrington explained that the Department believes it is important to define this problem of area-wide soil contamination— that is, to identify the level of risk present, and then develop practical solutions where there is a risk. The Department is committed to supporting the project, maintaining a broad perspective, and being responsive to Task Force information needs. Assistant Director Arrington concluded by reminding the Task Force that Agriculture is the primary business in the state, and that sensitivity to agricultural issues and potential economic implications to agriculture will be critical to the success of the project.

Due to scheduling conflicts, Steve Wells, the Deputy Director of the Office of Community Development, was unable to attend the meeting.

In response to these opening statements, Task Force members discussed the degree to which the Task Force and *ex officio* members enter the project with a common understanding of the scope of the problem. Linda Hoffman explained that Ecology partnered with other agencies in this effort because of their different perspectives on the scope of the problem, since it would be risky for the problem to be defined by only one perspective and that she was interested in understanding in more detail Task Force member perspectives on the issue as the day unfolded. Task Force members also observed the lack of federal representation in the project and discussed how people

from EPA or other federal agencies might be able to participate. Ecology explained that a representative from EPA had agreed to participate on the Protective Measures Work Group. This will enable the Project to benefit from EPA expertise on this issue. In addition, several EPA officials will be interviewed as part of the information survey.

Overview of the Area-Wide Soil Contamination Project

Dave Bradley, the Project Manager for this project at the Department of Ecology, gave a presentation on the origins of the project and its nature and scope. The project was conceived in response to the fact that there are large areas in the State where soil levels of arsenic and lead exceed the Model Toxics Control Act (MTCA) cleanup standards. Mr. Bradley explained that this contamination results from several types of historical sources including historic (and, at the time, proper) application of agricultural pesticides and metal smelting activities. Currently, the State has only one mechanism to respond when contaminant concentrations exceed the MTCA cleanup standards – application of MTCA. MTCA, however, was not designed to address widespread areas of low-to-moderate contamination, and the sense is that other, more responsive tools are needed. Widespread low-to-moderate soil contamination is a multi-dimensional problem with potential health impacts and large financial implications. Lack of education and awareness, limited agency coordination and shared accountability, and lack of integration with land use decisions in a climate of changing land use further complicate the issue. To address these issues, the Departments of Agriculture, Ecology, and Health and the Office of Community Development approached the State Legislature about area-wide soil contamination, and, in 2001, the Legislature appropriated \$1.2 million for Area-Wide Soil Contamination Project.

Mr. Bradley explained that the Task Force is chartered to answer the basic question: What should be required, changed, spent, or provided in order to improve efforts to prevent health, equity, and financial problems associated with soils containing arsenic and/or lead at levels exceeding the MTCA Cleanup Standards? Specifically, the chartering agencies are asking the Task to consider four questions including identifying the nature and extent of contamination, protective measures, institutional frameworks, and agency roles and funding sources.

Mr. Bradley explained that the chartering agencies see the project as having four phases. In the first phase, the chartering agencies worked with the Legislature to appropriate the funding to carry out the project and to establish the Task Force. The project is now entering the second phase, where broad based information gathering and analysis will be carried out to support the Task Force's learning and evaluation of the issues and to identify potential solutions. In the third phase, focus will shift to narrow the range of potential solutions by evaluating the implications of each solution for Washington State. In the fourth phase, the Task Force will develop and issue findings and recommendations.

Mr. Bradley explained that the Task Force would have considerable support in this ambitious effort from the agencies, a consultant team led by Landau Associates, and two work groups. Tasks being performed by the Landau team include project management and support for the project's major components:

- Area-Wide Soil Contamination Task Force

- Geographic/Geochemical Assessment (Work Group I)
- Protective Measures Assessment (Work Group II)
- Institutional Frameworks Assessment
- Public Involvement.

Mr. Bradley also explained that the chartering agencies have several operating assumptions for the project, including:

- The project is focused on arsenic and lead soil contamination, in low-to-moderate levels, from a variety of historical sources.
- The project is a multi-agency effort to develop a statewide strategy, where the agencies will participate in Task Force deliberations in an *ex officio* capacity.
- The project will not reevaluate MTCA cleanup standards or current agricultural operations.
- Findings and recommendations will be issued in June 2003.

Task Force members asked how the Task Force would learn about and determine the risks to public health from arsenic and lead soil contamination. Mr. Bradley explained that public health risks were considered when the MTCA cleanup standards were created. Bill White of the Department of Health offered to provide information and references on public health evaluations to the Task Force and work groups. Several Task Force members thought it would be good to spend time at the next meeting going over the public health implications of this project—an overview of the health risks and pathways. Others thought it would also be good to understand what is behind MTCA cleanup levels, how to interpret the standards, and how they can be applied. Another Task Force member recommended that a reading list be put together for this project.

Role of the Task Force and the Task Force Process

Task Force Charter

The Task Force reviewed the draft Task Force charter, focusing in particular on the expectations of Task Force members and the Task Force process. One of the central roles of Task Force members is to serve as conduits for information about the project; they are responsible for reaching out to their constituencies and for bringing their constituency's ideas and concerns to the table. The expectation is that the Task Force will work hard to converge around a single set of solutions; the more the Task Force converges on a single set of recommendations, the more powerful it will be. The Task Force report will record and include the full range of Task Force views. To the degree that recommendations lack full support, differing points of view will be noted in the report.

The Task Force discussed and generally supported the role of the Task Force process co-chairs. The co-chairs have two main responsibilities relative to the Task Force process: to help develop meeting agendas and to keep the facilitators on track. In

addition, to the extent that there may be process issues that arise over the life of the Task Force, the co-chairs will work with the facilitators to resolve them. In exercising these responsibilities, the co-chairs do not in any way give up their right to fully engage as participants in the Task Force. The Task Force discussed assigning additional roles to the process co-chairs; for example, the co-chairs may be assigned the role of media contact.

The Task Force discussed the role of the facilitation team and the role of *ex officio* members. The role of the facilitation team is to work for the process. Task Force members emphasized that it is important for the facilitator to build confidence among participants and to bring information forward so that participants feel comfortable making decisions. The role of the *ex officio* members is to represent the views and concerns of the chartering agencies to the Task Force, to support the Task Force in information gathering and analysis, and to offer strategic advice and observations on the Task Force's deliberations.

Task Force members discussed whether the Task Force should have an official process for moving decisions forward, such as Roberts' rules of order or another model, and decided that they could establish an official decision rule later if needed. Task Force members observed that, no matter what sort of decision rule may eventually be put in to place, they would strive for a common agreement.

The Task Force then accepted the draft charter.

Task Force Ground Rules

Next, the Task Force reviewed the draft ground rules, which provide guidelines for how Task Force members should interact. Under the ground rules, all Task Force members participate as equals and commit to a high level of involvement in the project. On the rare occasions when an alternate may be needed, the alternate will need to be fully prepared and empowered to participate in Task Force deliberations and decision making. Any proposed alternate should be discussed with the chartering agencies before being appointed to ensure that the Task Force can maintain balance appropriate in its representation. The chartering agencies will participate in joint learning and information sharing, but, at the end of the process, the Task Force will make independent findings and recommendations.

Task Force meetings will be recorded through meeting summaries that capture key discussion points and any decisions that have been made. As issues arise over the course of the project, the Task Force will use its charter to decide whether they are within the scope of the project or whether they should be addressed in another forum.

Task Force members are encouraged to communicate with their constituents outside of the group; the only rule is that they refrain from characterizing other people's positions.

The Task Force decided to make two additions to the draft ground rules:

- Individual members shouldn't characterize the views of the Task Force, unless the Task Force has decided that beforehand.
- At the time the Task Force needs to make a decision-making rule, it will do so.

The Task Force then approved the draft ground rules, with these modifications.

Task Force members also had several suggestions to improve the Task Force process.

- One Task Force member noted that allowing members of the public to attend Work Group meetings might help the consensus process. (Task Force and Work Group meetings are open to the public.)
- The Task Force requested contact information for participants and asked whether there were better ways to make the meeting schedule work for the Task Force members. (Contact information is provided with this meeting summary; a meeting schedule for the next six months was established later in the day.)
- The Task Force said that information that is well known and available on issues associated with contamination should be made available to the Task Force early in the process, starting at the next meeting. Materials that can be provided to the Task Force ahead of time would also help. (Additional back ground materials, including a reading list will be provided in advance of the next Task Force meeting.)

Bill White of the Department of Health asked how the agencies would receive requests for information from the Task Force. The facilitator noted that the Task Force will discuss information needs at Task Force meetings (as they did earlier in the day) and that the Task Force work plan, which is being developed, could help the agencies to structure how they prepare for meetings and to identify what to bring to meetings. For example, based on the earlier discussion, it seems the next Task Force meeting should include information on the risks associated with arsenic and lead and development of the MTCA cleanup standards.

Getting Started on the Analysis

Bill Ross introduced Elizabeth McManus of Ross & Associates who is the link between the work groups and the Task Force and is the task manager for the Task Force component of the project.

Analytical Areas of the Project

Elizabeth McManus discussed with the Task Force the three analytical areas of the project: nature and extent of contamination, protective measures, and institutional frameworks. Ms. McManus explained that the consultant team and agency staff will support all three areas and that the “nature and extent of the problem” and the “protective measures” tasks also have work groups associated with them. The work in these analytical areas has been established in the contract scope of work to gather and develop information necessary to support Task Force deliberations. In this way, it is occurring to some extent independently of the Task Force, but at the same time, must be informed by the Task Force so it will meet Task Force needs.

Nature and Extent of Contamination: Julie Wilson and Eric Weber of Landau Associates jointly support the work group for this task—Workgroup I or the Nature and Extent Workgroup. The group’s objectives are to:

- Assess the nature and extent of the area-wide soil contamination in Washington
- Identify methods that local agencies or other organizations can use to further define the nature and extent of area-wide soil contamination problems in their jurisdictions
- Identify appropriate methods for assessing the nature and extent of contamination problems at individual properties or projects

Work products for this analytical area include:

- A broad-based survey of approaches to arsenic and lead soil contamination and other area-wide soil contamination problems in other states and countries
- Preliminary estimates, based on existing information, on the nature and extent of area-wide soil contamination problem
- Yakima County Pilot Project – involving GIS mapping of former agricultural land uses and limited confirmation sampling to assess the extent former land uses are predictive of arsenic and lead contamination
- Development of sampling and analysis scopes of work and other tools that governments and private citizens could use to identify and characterize arsenic and lead contamination
- An assessment of regional variations in natural background concentrations

Work Group I is not doing statewide soil sampling, and is not focusing on a range of contaminants, only arsenic and lead.

Protective Measures: Kris Hendrickson of Landau Associates supports the work group for this task—Work Group II or the Protective Measures Work Group. The group's objectives are to identify:

- Practical and effective measures that can be taken by individuals to reduce exposure
- Technically feasible remedial measures for addressing widespread low-to-moderate soil contamination problems
- Any remedial measures that Ecology should identify as “model remedies” under MTCA

Work products for this analytical area include:

- A broad-based survey of approaches to arsenic and lead soil contamination and other area-wide soil contamination problems in other states and countries
- Identification and definition of categories of facilities for which model protective measures might be developed
- Analysis of the extent to which potential model remedies and other protective measures protect human health and the environment, comply with MTCA cleanup standards, and represent permanent solutions

- Analysis of the cost of potential model remedies and other protective measures

Work Group II is not suggesting revisions to MTCA cleanup standards or reviewing ground-water treatment methodologies.

Institutional Frameworks: Lori Ahouse of Ross & Associates is the task manager for the work in this analytical area. The objectives for this task are to:

- Identify a range of institutional alternatives/processes
- Evaluate the feasibility of implementing the various institutional alternatives, including current institutional barriers
- Identify changes that could be implemented to help overcome current institutional barriers

Work products for this analytical area include:

- A broad-based survey of approaches to arsenic and lead soil contamination and other area-wide soil contamination problems in other states and countries
- Case studies of three to five institutional frameworks that seem particularly relevant to Washington State
- Detailed analysis of the legal, funding, and institutional implications for a select number of potential institutional approaches.

This work will not involve reviewing requirements or processes for current agricultural operations.

During the overview of the three main analytic areas of the project, the Task Force reviewed the current composition and membership of Work Groups I and II. Based on this review, Task Force members made a number of suggestions for membership additions to the work groups, including:

- Mike Willett of the Northwest Horticulture Council to Work Group I
- Someone from the Potato Commission to Work Group I
- Someone from a local health department to Work Group II
- A city or county representative to Work Group II
- People who might implement the recommendations to Work Group I or II

In addition, Task Force members were encouraged to attend work group meetings, if they so desired, or to send representatives to work group meetings. The Task Force also will have opportunities to provide input into the work groups during Task Force meetings.

In relation to these analytical areas, various Task Force members recommended that the following additional information be distributed to the Task Force:

- Resumes for the members of the work groups
- Additional background on the risks associated with arsenic and lead and on the area-wide soil contamination problem
- The section in the MTCA Policy Advisory Committee report on area-wide contamination, which includes recommendations on area-wide contamination.

Task Force and Stakeholder Interviews

The Task Force then moved on to discuss the results of the interview process. Prior to the meeting, the consultant team conducted individual telephone interviews with Task Force members and stakeholders representing a range of interests, and interviewed staff and *ex officio* representatives from the chartering agencies. (These interviews will be completed in February.) Elizabeth McManus presented what the consultant team heard during these interviews. There were many similarities between what the Task Force and stakeholders said. Task Force members all have some familiarity with the issues, and for each of the three areas of analysis, there is a range of experience and expertise on the Task Force.

The Task Force and stakeholders identified six main issues and concerns related to area-wide soil contamination:

- Economic impacts – depressed property values, adverse effects on tourism and economic development, sustainability of agricultural market, and implications for homeowners
- Public health impacts – whether there are risks to sensitive populations, especially children, and risks that, at present, may not be adequately managed or fully understood
- Undue public alarm/outcry – concerning health risks and agriculture in particular
- Implementation of recommendations – what really will happen with the recommendations, especially in terms of public education
- Technical and process challenges – characterizing the problem and risks, communication, finding practical solutions, constraints of MTCA and cleanup standards
- Funding – whether solutions will be fundable

There was wide agreement among interviewees around goals for the project outcomes. Many people expressed the desire for consensus recommendations, especially around finding practical, reasonable solutions. Interviewees said they wanted to match solutions to the problems, balance economic concerns, and that the recommendations might consist of a range or matrix of options. Finally, Task Force members and stakeholders

want the project to result in recommendations that apply statewide but can be adapted by local communities.

The consultant team will develop a summary report on the interviews for the Task Force by the end of March.

Information Survey

An information survey is one of the first steps in each of the three analytical areas of the project. The overall goal of the information survey is to identify and gather information on the status and content of past, current, and proposed area-wide soil contamination projects and related initiatives.

Task Force members considered the information needs of each analytical area for the information survey and reviewed the contacts and interview questions in the memorandum on the information survey approach, which was provided to Task Force members. Task Force members were encouraged to suggest additional contacts to interview and/or interview questions.

In terms of survey contacts, Task Force members suggested contacts in Ontario and Nova Scotia for the nature and extent of contamination task and land planners for institutional frameworks task. Task Force members said they wanted to know how the nature and extent of the problem in Washington State compares to problems in other states, whether land use has been tied to protective measures, and whether realtors have cases or examples of where innovative solutions have been implemented. Task Force members also suggested that cost, including consultant fees, should be an explicit consideration during the institutional frameworks analysis. Bill White of the Department of Health said he thought the Task Force should keep in mind that it will be helpful to include public health and economic analysis in the rationale for its recommendations.

The Task Force also suggested assembling a collection of historic resources and making it available, either as a library for Ecology or a bibliography that Ecology could use. The Task Force thought that an annotated bibliography would be more helpful than just a list of references.

Public Involvement

Sarah Hubbard-Gray of Hubbard-Gray Consulting in Spokane, the task manager for the public involvement component of the project, described how she would be using the information from interviews with stakeholders, agency staff, and Task Force members to develop a public involvement plan for the project. This plan will be developed by late-March and ready for the Task Force to review in April or May.

During the interview process, Task Force members and other stakeholders expressed many recommendations for the project's public involvement effort, including:

- Messages to the public should be clear and concise, should use positive and proactive terms, and should put the issues in the context of other risks people face.
- The public involvement effort should include identifying what people can do themselves to reduce risks.

- Materials should be provided in bilingual format.

Sarah Hubbard-Gray presented a brief overview of the types of approaches that might be in the public involvement plan, and noted that the project team is identifying business and community groups to serve as a network for the project. A webpage is already available on the Ecology website, and the project team will also be looking at other methods for distributing information, including using a network of contacts to reach out to neighborhood groups.

Task Force members raised two concerns related to public involvement presentation. First, the Task Force was concerned about the agencies' communications with the press. Dawn Hooper of the Department of Ecology explained that press efforts are generally not a key part of a public involvement plan, and that they would be coordinated through the communications offices of the chartering agencies. The Task Force wondered whether a subgroup of Task Force members should review press releases from the agencies before they are issued. Linda Hoffman said that she would like to hear other suggestions for how media communications should occur. To address these issues, the Task Force decided to develop a plan for Task Force coordination with the media and a plan for Task Force coordination with the agencies' press efforts. The Task Force co-chairs, Linda Hoffman, and any other interested Task Force members will hold a conference call on media issues before the next Task Force meeting.

Second, Task Force members asked about the mission of the public involvement effort. Task Force members worried about conducting a public involvement effort with a message that wasn't well structured or clearly defined. Task Force members thought it would be more appropriate to work on the substance of the project before beginning the public relations and outreach. If the Task Force started the public involvement activities with an understanding of the mission it's trying to accomplish, this would diminish the anxiety. The Task Force decided it needed to discuss this issue further at future Task Force meetings.

Work Group and Institutional Frameworks Work Plans

To supplement the earlier overview of the three analytical areas of the project, task managers described in more detail how the work on these analytical areas would progress.

Eric Weber of Landau Associates reviewed the agencies' charges to Work Group I on the nature and extent of contamination and the types of work products involved. He discussed the two primary types of sources, former metal smelters near Tacoma and Everett and areas east of the Cascades where pesticides containing lead and arsenic were applied through the late 1940s. He then described some of the near-term activities of the workgroup, including analysis of work that has already been done in Yakima County to map, using current and historic aerial photos, where soil contamination may be present based on historic land uses. He explained that in the spring the consultant team would do confirmational sampling of soils to see whether this type of mapping is a good tool to predict arsenic and lead contamination. Rick Roeder from the Department of Ecology added that the agency recognizes that access for such sampling may be an issue, but that the Department will make clear that the sampling is for research, not for enforcement, and that this is intended to be a cooperative, solution-oriented process.

Mr. Weber also showed examples of data that might result from this sampling. As part of this effort, the workgroup will also assess variations in the natural background concentrations of arsenic and lead.

Kris Hendrickson of Landau Associates said that for Work Group II, the focus is to evaluate and recommend practical measures—things that will work and that people can actually do. She described that the consultant team has already started on a state survey and literature search and will use that information to identify categories of sites that have evaluated and selected protective measures. This will lead to a range of possible alternatives for protective measures, which the work group will discuss with the Task Force at the April and May meetings. Following that, the work group will complete a cost issue paper and do assessments of risks to human health and the environment. A few Task Force members responded to this presentation by noting the importance of certainty and finality in the remedies.

The institutional frameworks tasks and the protective measures tasks are closely related. Lori Ahouse of Ross & Associates described that for institutional frameworks task the consultant team will identify a range of alternatives and process; look at the legal, financial, and operational feasibility of the alternatives; and identify means to overcome institutional barriers. Since there is no work group for this task, it will have even more involvement from the Task Force in terms of scope and direction. The institutional frameworks effort starts broad by looking at what has been going on in other states and countries and then goes deep with 3-5 case studies. The consultant team will look for Task Force direction on how to select cases at the next meeting and will present the cases and the results of the information survey at the third meeting. The team will identify a range of institutional alternatives by the end of June and then analyze the legal, funding, and institutional aspects of those alternatives.

Task Force members discussed the timing of the work in these analytical areas, noting that there will be a lot of work going on in the beginning of this project. Some Task Force members were concerned that the Task Force might solidify assumptions too early in the process or commit to abstract solutions before it has adequate data. The Task Force emphasized that to meet its needs, the consultant team will need to be flexible in its approach so that it gives the Task Force the information it needs when the Task Force needs the information.

Public Comments

Mike Gillette of McElvoy Law observed that the institutional frameworks task does have a work group, but it is an agency-consultant group, not a stakeholder group, which he thought would be more useful. MTCA does address these issues, but only in certain ways. It is limiting to rely only on one perspective. He encouraged the agencies and the Task Force to establish a work group for institutional issues. He noted that the Task Force would quickly find that there's a problem and that something should be done about it, but the leveraging issue would be who will pay. There needs to be a lot of creative thinking around that issue.

Meeting Wrap Up

To conclude the meeting, Bill Ross observed that the Task Force has a charter and ground rules, and participants have a good understanding of the Task Force's

aspirations, and a common and powerful set of goals. The Task Force has provided the consultant team and agency staff with a number of suggestions, such as a bibliography and development of a plan for media relations, and has said that it would like to have a better sense of the public health implications of arsenic and lead exposure, and how that relates to the MTCA cleanup standards. These issues will be pursued before and during the next Task Force meeting. Mr. Ross also observed that as the work on the project gets underway, there will be a continual need for Task Force guidance. The Task Force agreed that it is headed in the right direction, but that everyone on the Task Force will need to stay engaged.

The co-chairs concluded the meeting by congratulating all involved on a great start and expressing hope that the outcome of this process will be recommendations that all can agree on.

Next Steps

- The facilitation team will contact each of the Task Force members over the next month to follow up on the meeting.
- The facilitation team will schedule and facilitate a telephone conference on media tactics between the co-chairs and Ecology. The call will be open to all Task Force members
- The next Task Force meeting will be on April 1st in Wenatchee.
- Tentative dates for later meetings are May 9, June 12, and July 25.